

A DIGEST
OF THE
ACTS OF ASSEMBLY
RELATING TO,
AND THE
GENERAL ORDINANCES.

OF THE
CITY OF PITTSBURGH

From 1804 to Jan. 1, 1897,

WITH REFERENCES TO DECISIONS THEREON.

SECOND EDITION.

PREPARED UNDER RESOLUTION OF COUNCILS

BY

W. W. THOMSON

OF THE PITTSBURGH BAR.

PITTSBURGH, PA.:
W. T. NICHOLSON SONS, PRINTERS AND BINDERS.
1897.

BUREAU OF PARKS.

July 31, 1893, § 1. 1. There shall be and is hereby created a bureau to be known
 O. B. 9, 262. as the "bureau of parks," which bureau shall consist of one
 Bureau of parks superintendent whose compensation shall be two hundred dollars
 created. per month, one superintendent, whose compensation shall be
 one hundred and fifty dollars per month, and one assistant
 Officers and superintendent whose compensation shall be one hundred
 employees. and twenty-five dollars per month, one clerk whose compensation
 shall be eighty-three dollars and thirty-three cents per month,
 and such foremen and laborers as may be required from
 time to time, at the same pay as like labor in other departments
 of the city (a).

July 6, 1896.
 O. B. 11, 139. 2. WHEREAS, The control, maintenance, supervision and
 Preamble. preservation of the public parks is by law vested in the depart-
 ment of public works; and

Preamble. WHEREAS, It is essential to proper exercise of these powers
 that persons should be employed as watchmen in the public
 parks for the protection of the public property therein.

Ibid § 1. 3. *Be it ordained, &c.,* That the director of the department
 Watchmen com- of public works shall, and he is hereby authorized to employ
 pensation. such watchmen as may be necessary for the properly caring for,
 maintaining and protecting the public property in the public
 parks of this city at the daily compensation of two dollars and
 fifty cents each.

Ibid § 2. 4. The compensation of such watchmen shall be paid out of
 appropriation No. 36, public parks.

July 27, 1893, § 1. 5. Upon the passage and approval of this ordinance the
 O. B. 9, 260. following rules and regulations shall be and are hereby established
 Rules adopted. for the management and protection of the parks and public
 grounds of the city of Pittsburgh, to wit:

First. No person shall injure, deface or destroy any notices,
 rules or regulations for the government of the parks, posted or
 in any other manner permanently fixed by order of the chief of
 department of public works.

Second. No person shall be allowed to turn any chickens,
 ducks, geese or other fowls, or any cattle, goats, swine, horses
 or other animals loose within the parks or to bring led horses
 or a horse that is not harnessed and attached to a vehicle or
 mounted by an equestrian.

Third. No person shall be allowed to carry firearms, or to
 shoot or throw stones at or to set snares for birds, rabbits,
 squirrels or fish, within the limits of the parks or within one
 hundred yards thereof.

Fourth. No person shall cut, break, pluck or in anywise
 injure or deface the trees, shrubs, plants, turf or any of the
 buildings, fences, structures or statuary, or place or throw any-
 thing whatever in any springs or streams within the parks, or
 fasten a horse to a tree, bush or shrub.

(a) As amended by ordinance of Nov. 23, 1893, O. B. 9, p. 320, and ordinance of March 31, 1896, O. B. 11, p. 40.

PUBLIC WORKS—PARKS.

497

Fifth. No military or other parade or procession, or funeral shall take place in or pass through the limits of the parks without permission from the chief of department of public works. July 27, 1883.
Park rules.

Sixth. No one shall ride or drive therein except on the avenues or roads, or at a rate of speed exceeding eight miles per hour.

Seventh. No gathering or meeting of any kind, assembled through advertisement, shall be permitted in the parks without previous permission of the chief of the department of public works, nor shall any gathering or meeting for political purposes in the park be permitted under any circumstances.

Eighth. No wagon or vehicle of burden or traffic shall pass through the park, except on such road or avenue as shall be designated by the chief of the department of public works for burden transportation.

Ninth. No coach or vehicle used for hire, shall stand upon any part of the parks for the purpose of hire, nor except in waiting for persons taken by it into the park, unless at points designated by the chief of the department of public works.

Tenth. No profane, indecent, abusive or insulting language, gambling or drunkenness shall be allowed within the parks, nor shall any one be allowed to introduce any spirituous liquors within the limits of the same, either for his own use or for sale.

Eleventh. No person shall climb any tree or attach any swing thereto, without the consent of the superintendent.

Twelfth. No picnic shall take place in the parks without a written permission for the purpose being obtained from the superintendent, in which shall be designated the spot where it shall be held, and parties holding picnics shall clean up the ground that has been occupied by them on quitting it, and not leave paper and other refuse on the ground.

Thirteenth. No person shall disturb any picnic in the parks, or intrude himself or herself on it without the consent of those composing it.

Fourteenth. No person shall stand, walk or sit on any fence, wall or embankment, or stand, slide, sit or roll upon any slope of the parks.

Fifteenth. No person shall set up any booth, table or stand for the sale of any article whatever, without the consent of the chief of the department of public works, previously obtained in writing.

Sixteenth. When carriages or equestrians meet, the parties respectively shall keep to the right as the law of the road.

Seventeenth. No person shall drive any vehicle displaying any placard or advertisement of any kind along any road or avenue in the parks, nor shall any person display any placards or advertisements of any kind, or post or fix any notice or bill or other writing or printing of any kind on any tree, lamp-post, hydrant, curbstone, coping, flagstone, fence, wall, building or other place within the parks.

Eighteenth. No benches or seats shall at any time be removed

July 27, 1893

or changed from their places in the parks, except by the order first obtained of the superintendent.

Nineteenth. Bicycles and tricycles shall be restricted to the use of the roadways, and be controlled by the same law which governs horses, vehicles and equestrians, and must pass to the right, when meeting the same or each other. When passing a carriage or equestrian from the rear to the front, it must be done to the left side and at a moderate rate of speed. Bicycles and tricycles must not travel more than two abreast.

Twentieth. All racing with horses, vehicles, tricycles and bicycles is prohibited at any time, and bicycles and tricycles must not be driven or propelled at greater speed than eight miles per hour.

Ibid. § 2.
Penalty.

6. Any violation of any of the foregoing rules shall subject the party so offending to a fine of twenty-five dollars, to be collected by summary process.

Aug. 28, 1871, § 1.
O. B. 3, 122.
Improvement
of part of Bluff
street as a park
authorized.

7. The citizens of the Sixth and Fourteenth wards of the city of Pittsburgh, residing in the vicinity of Bluff street, shall be and are hereby authorized to enclose with a good substantial fence a portion of Bluff street, from Gist to Magee street, as follows, viz: Commencing at Gist street thirty feet south of the northern curb line, and thence running by a line preserving the same width to Magee street, said fence to be constructed with openings at the street crossings, and at such other points as may be deemed proper openings for the convenient access of foot passengers. Said citizens shall be further authorized to lay off the grounds south of said fence to the line of said street with walks, and within said enclosure, and on the outside thereof, to plant trees and shrubbery, erect fountains and make other improvements thereon suitable for a public promenade: *Provided*, That no trees or other improvements shall be placed upon said street within a distance of twenty feet from the north curb line of said street.

Ibid. § 2.
City not liable
for expense.

8. Said improvements shall be made and maintained at the expense of the parties making the same, and the city shall not be liable for any expense contracted for or on account of the same.

Ibid. § 3.
City may grade
and pave.

9. Said city reserves the right to direct the grading and paving of said street at any time hereafter, without compensation for the improvement which may be made thereon as fully as if this ordinance had not been adopted.

Ibid. § 4.

10. Said improvements and the maintenance and care of the same shall be under the charge of such persons as may be selected by subscribers to the fund for making the same.

Ibid. § 5.
Penalty for in-
juring improve-
ments.

11. It shall be unlawful for any person to injure or destroy any fence, trees, shrubbery or other improvement upon said ground; and if any person shall wilfully injure or destroy the same, or any part thereof, he or she shall forfeit and pay the sum of ten dollars, in addition to a sum sufficient to repair or replace the damage, to be recovered by action in the name of the city of Pittsburgh, or by summary conviction before the mayor

PUBLIC WORKS—PARKS.

499

or any alderman of said city, and the sum so recovered shall be paid to the person having charge of said improvements, to be expended upon the same. Aug. 28, 1871.

12. The superintendent of the water works shall be authorized to direct a supply of water, free of charge, for not more than two fountains upon said ground at all reasonable times and to reasonable amounts, from the first day of April to the fifteenth day of October in each year: *Provided*, That said superintendent shall be authorized to prevent the unnecessary waste of water, and to prohibit its use during times of short supply. Ibid. § 6.
Supply of water
for two foun-
tains authorized.

13. WHEREAS, The public market-house on Second street is of no benefit to the city; Sept. 27, 1858.
O. B. 2, 125.

And whereas, The heirs and legal representatives of the estate of James O'Hara have, by deed dated the seventeenth day of May, one thousand eight hundred and twenty, and on the ninth of August, one thousand eight hundred and fifty-eight, consented that the ground dedicated by the late James O'Hara, on Second between Ross and Grant streets, may be used as a public square or area; therefore, Preamble.

14. *Be it ordained, &c.*, That all that portion of Second street extending from Grant to Ross street, and used for the purpose of a market house, be and the same is hereby devoted to the purpose of a public park, to be ornamented in such manner as shall be directed by the mayor of the city and members of councils for the time being of the Second ward, who are hereby authorized to adopt such rules for the same as may, in their judgment, be proper, and to keep the same posted on the gateposts thereof: *Provided*, The whole expense of removing the market-house and of constructing said public park and keeping the same in repair, shall be provided by voluntary subscription, and shall in no case be a charge on the city treasury. Ibid. § 1.
Second street
market to be
made a park.

Rules.

Proviso.

15. Any person that shall injure or destroy any tree, shrub or any other thing within said park, or the wall or fence that may surround it, shall, upon conviction before the mayor, be fined a sum not exceeding five dollars, in addition to the amount necessary to repair any injury so done, to be recovered as like penalties are by law recoverable. Ibid. § 2.
Penalty for
injuries.

16. It shall be lawful to erect within the said area or park one or more fountains, to be supplied from the public water pipes without any charge for the use of the water. Ibid. § 3.
Fountains.

17. Before the work necessary for said improvement shall be commenced, the mayor and members of councils from the Second ward shall meet at the mayor's office and choose from among themselves one president, one secretary, and one treasurer, and shall proceed to agree upon a plan of the work, &c. Ibid. § 4.

18. For the purpose of constructing and maintaining a public park, there shall be and is hereby set aside, dedicated and appropriated so much of the ground belonging to said city as is not indispensably necessary for the safe and proper use of the reservoir known as the Herron Hill Reservoir. Sept. 14, 1889 § 1.
O. B. 7, 131.
Dedication of
Herron Hill
Park.

500

ORDINANCES—EXECUTIVE DEPARTMENTS.

- Sept. 14, 1889, § 2. 19. The chief of the department of public works of said city
Improvement. be and he is hereby authorized and directed to improve all said ground lying around, adjacent to and connected with said reservoir, and which shall not be found actually necessary for the operation of said reservoir, to be used and enjoyed as a public park, to be known as and by the name of the "Herron Hill Park."
- Sept. 16, 1889, § 1. 20. For the purpose of constructing and maintaining a public
Dedication of Highland Park. park, there shall be and is hereby set aside, dedicated and appropriated so much of the ground belonging to said city as is not indispensably necessary for the safe and proper use of the reservoirs known as the Highland Reservoirs.
- Ibid. § 2. 21. The chief of the department of public works of said city
Improvements. be and he is hereby authorized and directed to improve all said ground lying around, adjacent to and connected with said reservoirs or which may be added thereto, and which shall not be found actually necessary for the operation of said reservoirs, to be used and enjoyed as a public park, to be known as and by the name of "Highland Park."

BUREAU OF CITY PROPERTY.

- Dec. 17, 1887, § 18. 1. There shall be and is hereby created a bureau to be known
O. B. 6, 227. as the bureau of city property, the head of which shall be known
Bureau created. as superintendent of city property, and who shall receive the sum
Title of head. of one hundred and fifty dollars per month as his compensation.
Salary. The duties of this bureau shall be to take charge of all public
Duties. property belonging to said city not otherwise conferred upon
Clerk. some other department, including markets, city buildings, wharves, and such other property of the city as is not specially conferred elsewhere: *Provided*, That the chief clerk of this bureau shall act as clerk of the Diamond markets without extra compensation.
- Feb. 28 1890, § 1. 2. From and after the date of the passage of this ordinance,
O. B. 7, 321. the salary of the clerk to the bureau of city property (who also
Salary of clerk of acts as clerk of markets) shall be and is hereby fixed at fifteen
bureau of city hundred dollars per annum, and the said clerk to the bureau of
property. city property shall receive compensation for his services at the rate of fifteen hundred dollars per annum from and after the date of the approval or passage of this ordinance.
- City Code, 24, § 1. 3. If any person shall destroy or injure in any way whatsoever any public property within this city, he shall forfeit and
Penalty for injuring. pay for every such offense a fine of not less than ten dollars and not exceeding fifty dollars, besides the amount of the costs and expenses of repairing the same: *Provided*, That when the injury is accidental no further fine shall be imposed than the amount of the cost and expense of repairing.
- Proviso. 4. It shall be the duty of every city officer to report to the
Ibid. § 2. controller any damage or injury which may be done to any
City officers to report to controller. public property in his possession, that the same may be laid